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**APR 23 2004**

In re Application of  
Timothy Allan Constantine  
Application No. 09/976,678  
Filed: October 12, 2001  
Attorney Docket No. CH2M.13

**OFFICE OF PETITIONS**  
**ON PETITION**

This is a decision on the petition, filed April 15, 2004, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee. See 1233 *Official Gazette* 54 (April 11, 2000).

The petition is **DISMISSED** as moot.

Unfortunately, the petition did not reach the appropriate official for a decision until April 22, 2004, which is after the above-identified application issued as U.S. Patent No. 6,723,244. Any inconvenience caused petitioners is regretted.

The information disclosure statement (IDS) has been placed in the file of the above-identified application without further consideration. See 37 CFR 1.97(i).

The Request for Continued Examination (RCE) is considered an improper submission under 37 CFR 1.114 and will not be further processed.

Thereafter, the file of the above-identified application will be returned to Files Repository.

Telephone inquiries should be directed to Irvin Dingle at (703) 306-5684.

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for Patent Examination Policy